

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 26 OF 2023**

Rajneesh Kanwar

...Applicant

Versus

The State of Maharashtra

...Respondent

**WITH
INTERIM APPLICATION NO. 156 OF 2023**

.....

Ms Suvarna A. Vast a/w Mr. Prakash Salsingikar for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

Mr. Rahul Kate for the Intervener.

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CORAM : N.R. BORKAR, J.

DATED : 9 FEBRUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 460 of 2022 registered at Wanwadi Police Station, Pune City for the offences punishable under Sections 409, 406, 420 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned Counsel for the Intervener.

4. According to the complainant, in the year 2014, he learnt from his friend that Government of Himachal Pradesh had sanctioned two

Hydroelectricity projects in favour of the applicant's company and the applicant had decided to sell the said projects. According to the complainant, he contacted the applicant and shown his willingness to purchase the said projects. The complainant has alleged that after negotiations he agreed to purchase one of the projects for 4.5 crores and accordingly agreement was executed. The complainant has alleged that pursuant to said agreement from time to time he had paid Rs.1,05,50,000/-. It is alleged that later on he came to know that the applicant had sold both the projects to one Deepak Kanan and others.

5. Prima facie, the dispute appears to be of a civil nature. I am therefore inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant- Rajneesh Kanwar in Crime No. 460 of 2022 registered at Wanwadi Police Station, Pune City for the offences punishable under Sections 409, 406, 420 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

6. Interim Application for intervention is disposed of.

(N.R. BORKAR, J.)